#17

PATENT 660057-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Michael Conor MINOGUE

Michael Louis CROWE

U.S. Applu. No.

09/902,225

U.S. Filing Date

July 10, 2001

Title of Invention

AN ELECTROTHERAPY DEVICE AND

METHOD

745 Fifth Avenue New York, NY 10151

FACSIMULE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

CAROL ANN ROSSITTO

person signing certification

Signature

October 24, 2003

Date of Signature

FAX RECEIVED

OCT 2 4 2003

PETITIONS OFFICE

PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. §1.313(C) IN FAVOR OF CONSIDERATION OF A REQUEST FOR CONTINUED EXAMINATION

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

It is respectfully requested that the application be withdrawn from issuance pursuant to

37 C.F.R. §1.313(c)(2), in favor of consideration of a Request for Continued Examination.

10/27/2003 AKELLEY 00000001 500320 09902225

01 FC:1460

130.00 DA

PATENT 660057-2001

This RCE is being filed for the purpose of submitting an Information Disclosure Statement.

Authorization is given to charge the fee set forth under 37 C.F.R. §1.17(i) for consideration of the petition, or charge any additional fee occasioned by this paper, or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

Gordon Kessler/ Reg. No. 38,511

(212) 588-0800

GK/NDW

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue New York, New York 10151 Telephone: (212) 588-0800 Facsimile: (212) 588-0500

FACSIMILE COVER LETTER

To:

Ms. Karen Creasy

Firm:

PTO

7

Fax No.

703-308-6916

From:

Gordon M. Kessler

FAX RECEIVED

Date:

October 24, 2003

OCT 2 4 2003

Re:

USSN 09/902,225

OUR REF: 660057-2001

PETITIONS OFFICE

No. of Pages:

(including cover page)

If you do not receive all pages or are unable to read the transmission, please call and ask for Carol Ann Rossitto (a) ext. 2023.

CONFIDENTIALITY NOTICE